



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:

Jens PETERSEN

Application No.: 09/938,670

Filing Date: August 27, 2001

Title: POLYACRYLAMIDE HYDROGEL
AND ITS USE AS AN
ENDOPROSTHESIS

Group Art Unit: 3738

Examiner: David J. Isabella

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98, Applicant respectfully requests consideration of the references listed on the attached Form PTO-1449. Copies of the references listed are also enclosed.

Applicant respectfully requests that the Examiner consider the references cited on the Form PTO-1449 and indicate that the references have been considered in this application by returning a copy of the Form PTO-1449 with the Examiner's initials in the left column per MPEP 609.

A non-final Office Action on the merits has already been issued in the current Application. Pursuant to 37 C.F.R. § 1.97(c)(1), Applicant states that two of the publications (Gebauer, *et al.* and Jarosova, *et al.*) listed on the Form PTO-1449 were not cited in a communication from a foreign patent office in a counterpart foreign application and, to the

knowledge of the person signing this paper, after making reasonable inquiry, that these items were not known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this paper.

However, pursuant to 37 C.F.R. § 1.97(c)(2), Applicant encloses a check in the amount of \$180.00 as set forth in 37 C.F.R. § 1.17(p) with regard to the remaining two publications (US Patent No. 5,798,096 and European Patent No. 0153672 A2) listed on the Form PTO-1449 that were inadvertently omitted in previous Information Disclosure Statements.

Finally, Applicant respectfully requests that the Examiner consider the references cited on the Form PTO-1449 submitted on April 11, 2002 and indicate that the references have been considered in this application by returning a copy of that Form PTO-1449 with the Examiner's initials in the left column per MPEP 609. The Examiner sent a copy of that Form PTO-1449 with the Office Action dated June 5, 2003 as being stamped received on April 15, 2002 but without initials.

In the event that the U.S. Patent and Trademark Office determines a discrepancy between the necessary fee required for this submission and the amount enclosed, authorization is given to charge or credit the undersigned's Deposit Account No. 50-0206 as appropriate.

Respectfully submitted,

Date: November 23, 2004

By:



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| FORM PTO-1449 (REV. 7-80) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | NOV 23 2004 | | ATTY. DOCKET NO.: 160117.000007 | SERIAL NO.: 09/938,670 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|------------------|--------------------|------------------------------------|--------------------------------|
| LIST OF MATERIALS CITED BY APPLICANT | | | | TRADEMARK OFFICE | | INVENTOR'S NAME: Jens PETERSEN | EXAMINER: David J. Isabella |
| (Use several sheets if necessary) | | | | | | FILING DATE: August 27, 2001 | GROUP: 3738 |
| U.S. PATENT DOCUMENTS | | | | | | | |
| *EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE |
| | 1. | 5798096 | 08-25-1998 | Pavlyk | | | |
| | | | | | | | |
| FOREIGN PATENT DOCUMENTS | | | | | | | |
| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS AND SUBCLASS | TRANSLATION PROVIDED | |
| | | | | | | Yes | No |
| | 2. | 0153672 | 09-04-1985 | EP | | X ABSTRACT | |
| | | | | | | | |
| OTHER MATERIALS (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | |
| | 3. | GEBAUER et al., Gonarthritis due to Salmonella enteritidis in a patient with systemic lupus erythematosus, Klinische Padiatrie, (2002 Sept.-Oct.) 214 (5), 319-323, ABSTRACT | | | | | |
| | 4. | JAROSOVA et al., Analysis of clinical and laboratory data in a group of patients with juvenile idiopathic arthritis (JIA) in the framework of the national register, Ceska Revmatologie, (2002) 10/2 (65/70), ABSTRACT | | | | | |
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| EXAMINER | | | DATE CONSIDERED | | | | |
| <p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p> | | | | | | | |